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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

Application Number	10/051,870
Filing Date	January 16, 2002
First Named Inventor	Paul M. Stull
Art Unit	3763
Examiner Name	Thompson, Kathryn
Attorney Docket Number	RADME-58551

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

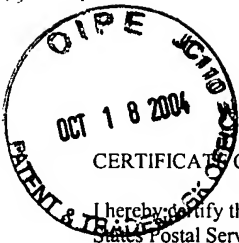
Firm Name	FULWIDER PATTON LEE & UTECHT, LLP		
Signature			
Printed name	James Juo		
Date	10/12/04	Reg. No.	36,177

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Signature			
Typed or printed name	James Juo	Date	Oct 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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James Ho

10/12/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/051,870
Applicant : Paul M. Stull
Filed : January 16, 2002
Title: : METHOD FOR GASTRIC COOLING USING BALLOON CATHETER
Art Unit : 3763
Examiner : Thompson, Kathryn
Docket No.: : RADME-58551
Customer No. : 24201

RESPONSE TO OFFICE ACTION MAILED ON SEPTEMBER 22, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is responsive to the Office action mailed on September 22, 2004, the response for which is due October 22, 2004. The Office action stated that the amendment and response dated May 21, 2004, was deemed a *bona fide* response, but "failed to present arguments towards the newly presented claims" with respect to the applied references. The Office action requested that the omission or correction be supplied.

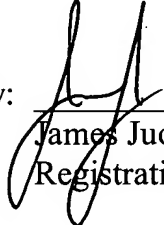
Applicant notes that new claims 64-74 were added by the amendment submitted on May 21, 2004. Among other features, the new claims recite, for example, that heat is exchanged between the balloon and the stomach. For at least this reason, Applicant respectfully submits that the new claims are patentable over the applied references.

CONCLUSION

Claims 1-51 and 64-74 are pending and under consideration in the present application. Applicant respectfully requests favorable reconsideration of the present application at an early date. Should the Examiner have any comments or questions regarding any of the foregoing, kindly telephone the undersigned.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

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